

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TEXTRON FINANCIAL
CORPORATION,

Plaintiff,

v.

TURBINE AIRFOIL DESIGNS,
INC., CHASECO CAPITAL
CORPORATION, THE WALTON
JOHNSON GROUP, INC., JOHN
A. WALTON,

Defendants.

09-cv-1714

Hon. John E. Jones III

FILED
HARRISBURG, PA

JAN 05 2010

MARY E. D'ANDREA, CLERK
Per
Deputy Clerk

MEMORANDUM AND ORDER

January 5, 2010

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Plaintiff Textron Financial Corporation ("Plaintiff" or "Textron") filed a Complaint (Doc. 1) alleging breach of contract against Defendants Turbine Airfoil Designs, Chaseco Capital Corporation, the Walton Johnson Group, and John A. Walton (collectively, "Defendants") on September 3, 2009. Plaintiff concurrently filed an Emergency Motion to Appoint a Receiver. (Doc. 3). After several hearings, conferences, and other procedural steps, Plaintiff instead elected to conduct an auction of the Collateral. The auction has been completed, and the

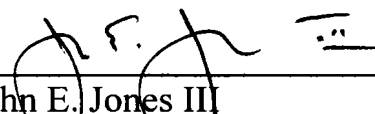
Court is in receipt of a status report so indicating. (Doc. 65). The finality of Plaintiff's election of remedy pursuant to the loan documents is clear, and therefore the Court will deny Plaintiff's Motion to Appoint a Receiver (Doc. 3) as moot.

Because the Court and the parties have been consumed thus far with the time-sensitive issues regarding the disposition of the Collateral, the scheduling of a trial track for this civil action has fallen by the wayside. Plaintiff's Complaint (Doc. 1), Defendants' Answer and Counterclaims (Doc. 43), and Plaintiff's Motion to Dismiss Defendants' Counterclaims (Doc. 52), are all still pending before the Court. Therefore, a status conference to determine the procedural posture of all issues outlasting the resolution of the auction, including scheduling further proceedings, is now appropriate.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Plaintiff's Emergency Motion to Appoint a Receiver (Doc. 3) is **DISMISSED** as moot;
2. The Court shall conduct a telephonic status conference with counsel for the original parties on Wednesday, January 13, 2010 at 2:00 p.m. Plaintiff's Counsel shall initiate the call. **Chamber's telephone number is (717)221-3986.**

3. Counsel shall be prepared to discuss the scheduling of further proceedings in this case, and, in aid of doing so, shall consult with each other prior to the said status call. A copy of the Court's 2010 and 2011 Court Calendar is attached hereto.



John E. Jones III
United States District Judge

**Judge Jones
2010 Court Calendar**

Trial list	Discovery Cut-off	Dispositive Motions Cut-off	Final Pre-Trial Conferences	Jury Selection
January	9/15/09	10/1/09	12/1/09	1/5/10
February	10/15/09	11/3/09	1/4/10	2/3/10
March	11/16/09	12/1/09	2/1/10	3/2/10
April	12/15/09	1/4/10	3/1/10	4/6/10
May	1/15/10	2/2/10	4/5/10	5/4/10
June	2/12/10	3/2/10	5/3/10	6/2/10
July	3/12/10	4/1/10	6/1/10	7/2/10
August	4/15/10	5/3/10	7/1/10	8/3/10
September	5/14/10	6/1/10	8/2/10	9/3/10
October	6/15/10	7/1/10	9/1/10	10/4/10
November	7/15/10	8/3/10	10/1/10	11/2/10
December	8/13/10	9/1/10	11/1/10	12/3/10

Case Management Conferences:

1/27/10
2/26/10
3/31/10
4/30/10
5/28/10
6/30/10
7/30/10
8/31/10
9/29/10
10/29/10
11/30/10
12/29/10

Judge Jones 2011 Court Calendar				
Trial list	Discovery Cut-off	Dispositive Motions Cut-off	Final Pre-Trial Conferences	Jury Selection
January	9/15/10	10/1/10	12/1/10	1/5/11
February	10/15/10	11/3/10	1/4/11	2/2/11
March	11/16/10	12/1/10	2/1/11	3/2/11
April	12/15/10	1/4/11	3/1/11	4/4/11
May	1/14/11	2/2/11	4/1/11	5/3/11
June	2/11/11	3/2/11	5/2/11	6/3/11
July	3/11/11	4/1/11	6/1/11	7/5/11
August	4/15/11	5/3/11	7/1/11	8/2/11
September	5/13/11	6/1/11	8/1/11	9/5/11
October	6/15/11	7/1/11	9/2/11	10/4/11
November	7/15/11	8/3/11	10/3/11	11/2/11
December	8/12/11	9/1/11	11/1/11	12/5/11

Case Management Conferences:

1/31/11
 2/28/11
 3/30/11
 4/25/11
 5/31/11
 6/29/11
 7/29/11
 8/31/11
 9/30/11
 10/31/11
 11/30/11
 12/29/11